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PATENT  
ATTORNEY DOCKET: 46970-5112

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Masanori NAKAHARA et al. ) Confirmation No.: 1384  
Application No.: 09/891,470 ) Group Art Unit: 2621  
Filed: June 27, 2001 ) Examiner: James A. Fletcher  
For: INFORMATION RECORDING )  
APPARATUS AND INFORMATION )  
RECORDING METHOD, AND )  
INFORMATION RECORDING )  
MEDIUM )

Commissioner for Patents  
U.S. Patent and Trademark Office  
**Customer Window, Mail Stop Amendment**  
Alexandria, VA 22314

Sir:

**AMENDMENT TRANSMITTAL FORM**

1. Transmitted herewith is an Amendment in response to the Office Action dated December 18, 2006.
2. Additional papers enclosed:

Drawings: \_\_\_\_\_ sheets with \_\_\_\_\_ figures  
 Information Disclosure Statement  
 Form PTO-1449  
 Citations  
 Declaration of Biological Deposit  
 Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicants have inadvertently overlooked the need for a petition and fee for extension of time.

Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

Total Months <u>Requested</u>	Fee for <u>Extension</u>	[Fee for Small Entity]
<input checked="" type="checkbox"/> one month	\$ 120.00	\$ 60.00
<input type="checkbox"/> two months	\$ 450.00	\$ 225.00
<input type="checkbox"/> three months	\$ 1,020.00	\$ 510.00
<input type="checkbox"/> four months	\$ 1,590.00	\$ 795.00

Extension of time fee due with this request: \$120.00

If an additional extension of time is required, please consider this a Petition therefor.

4. Constructive Petition

**EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0573. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. §1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	36	minus	40	0	x \$50 each =	+ \$0.00
Independent Claims (37 C.F.R. §1.16(b))	13	minus	16	0	x \$200 each =	+ \$0.00
[ ] First presentation of Multiple dependent claim(s)					\$360.00	+ \$0.00
SUB-TOTAL =						\$0.00
Reduction by ½ for filing by a small entity						- \$0.00
TOTAL FEE =						\$0.00

6. Fee Payment

No fee is to be paid at this time.

Enclosed is a check in the amount of \$120.00 for the one-month extension of time fee.

The Commissioner is hereby authorized to charge \_\_\_\_\_ to Deposit Account No. 50-0573 for the \_\_\_\_\_ fee.

The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0573.

Respectfully submitted,

**DRINKER, BIDDLE & REATH LLP**


By:

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Dated: April 18, 2007

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Alexandria, VA 22314

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**AMENDMENT**

In response to the Office Action dated December 18, 2006, the period for response to which extends through April 18, 2007 by the concurrently filed petition for a one-month extension of time and corresponding fee payment, please amend the above-identified application as follows.

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**IN THE CLAIMS:**

Please amend the claims as follows.

Claim 1 (Currently Amended): An information recording apparatus for recording information in a recording medium, said apparatus comprising:

    a specification device for specifying a division timing in the recording information, the division timing being a timing to divide continuous reproducible record information into two or more items of part information;

    a recording device for recording in said recording medium front part record information that is the record information before said specified division timing and rear part record information that is the record information after said specified division timing;

    a generation device for generating permission information indicating whether or not to permit at least one of said front part record information and said rear part record information to be further divided; and

    a permission information recording device for recording said generated permission information in said recording medium.

Claim 2 (Previously Presented): The information recording apparatus according to claim 1, wherein said permission information takes any one of:

    a first state in which it is enabled that at least either one of said front part record information and said rear part record information is erased from said recording medium after being recorded, and that said at least one is further divided;

a second state in which it is disabled that said at least one is erased from said recording medium after being recorded, but it is enabled that said at least one is further divided; and a third state in which it is disabled that said at least one is erased from said recording medium after being recorded, and that said at least one is further divided.

Claim 3 (Original): The information recording apparatus according to claim 1, further comprising:

a detection device for detecting from the recording medium said permission information recorded in said recording medium;

a change device for changing the content of said detected permission information; and

an overwrite device for overwriting said changed permission information on said recording medium.

Claim 4 (Currently Amended): An information recording apparatus comprising:

a permission information detection device for detecting the permission information from a recording medium having reproducible record information and permission information indicating whether or not to permit execution of edit processing for dividing the record information into two or more items of part record information recorded therein;

a judgment device for judging the content of the detected permission information; and

an execution device for, only when said judged content corresponds to the content in which said division processing is enabled, executing said edit processing.